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KBKB RADIO, TALLEY BROADCASTING CO. FCC MAIL BRANCH

December 23, 1991

File

Ms. Donna R. Searcy, Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C.
20554

RE: Reply to Opposition to Informal Objection
concerning the application of John T.
Pritchard for a new FM station on
channel 276C3 at Burlington, Iowa.
File number BPH-910722MI.

Dear Ms. Searcy:

Pursuant to 47 CFR 1.45 please find transmitted in triplicate the reply of the Talley Broadcasting Company to an Opposition to Informal Objection filed by Donald E. Ward who is an attorney representing John T. Pritchard in the above referenced matter. This Opposition was filed in response to an Informal Objection dated December 5, 1991 filed with the Federal Communications Commission by the Talley Broadcasting Company.

Mr. Ward's Opposition is Dated December 18, 1991, and the service copy mailed by First Class United States Mail to the Talley Broadcasting Company carries a December 18, 1991 mailing date and is post marked December 18, 1991 at Washington, D.C. This service copy arrived at the Talley Broadcasting Company's post office box this morning.

Should there be any questions regarding this matter please contact me at P.O. Box 369, Fort Madison, Iowa, 52627 - telephone (319) 372-1241 and telecopier (319) 372-5254.

Very Truly yours,

John R. Peters, Vice President
Talley Broadcasting Company

encl: (3)



NBC
Radio
Network

FM EXAMINERS

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D.C., 20554

In re)
File number BPH-910722MI)
)
Application of John T. Pritchard)
to construct a new FM station on)
channel 276C3 at Burlington,)
Iowa)
)

REPLY TO OPPOSITION TO INFORMAL OBJECTION

The Talley Broadcasting Company ("TBC") hereby replies to an "Opposition to Informal Objection" dated December 18, 1991 filed by Donald E. Ward attorney for John T. Pritchard ("Pritchard") and concerning an Informal Objection filed by ("TBC") which was dated December 5, 1991.

In its informal objection ("TBC") expresses concern about the proximity of the tower site proposed in the ("Pritchard") application to the tower site of KBKB-FM, and the potential for interference to the radio air navigation localizer at the Burlington, Iowa Municipal airport, and the potential for receiver induced intermodulation interference. ("TBC") herein reaffirms its concern regarding these interference matters.

I.) POTENTIAL INTERFERENCE TO AIR NAVIGATION

In his opposition ("Pritchard") states " The short answer-- indeed, the only answer--to this concern is that the FAA has evaluated Pritchard's proposal, and on November 29, 1991, issued a conditional "no hazard" determination." ("Pritchard's") opposition has attached as exhibit 1 a copy of the FAA determination in aeronautical study number 91-ACE-0498-OE which is

comprised of two pages. The condition to the determination of "no hazard" in pertinent part reads:

"This determination of no hazard is granted provided the following conditional statement is included in the proponents construction permit or license to radiate:

Upon receipt of notification from the Federal Communications Commission that harmful interference is being caused by the licensee's (Permittee's) transmitter, the licensee (permittee) shall either immediately reduce the power to the point of no interference, cease operation, or take such immediate corrective action as is necessary to eliminate the harmful interference. This condition expires after 1 year of interference free operation."

Therefore, ("TBC") agrees with ("Pritchard's") assertion that the short answer--indeed, the only answer-- to this concern is that the FAA has evaluated ("Pritchard's") proposal, however, ("TBC") reaches a radically different interpretation of that FAA evaluation. By the above quoted condition ("TBC") believes the FAA is expressing a very real concern that the ("Pritchard") proposal may cause interference.

II.) RECEIVER INDUCED INTERMODULATION INTERFERENCE

("Pritchard's") opposition asserts that ("TBC") informal objection is only based on the fact that ("Pritchard's") proposed tower site is only 2.3 Kilometers from the KBKB-FM tower site. Further more the ("pritchard") opposition only addresses the FM intermediate frequency "taboo" related to stations separated by 53 or 54 channels (10.6 MHz or 10.8MHz). ("TBC") fully understands that channel 276C3 and channel 269C2 are not separated by 53 or 54 channels and ("TBC") has never expressed concern about the IF "Taboo" relative to the ("Pritchard") proposal. Rather, ("TBC") is concerned about

receiver induced third order intermodulation effect and other aberrations caused by the presence of strong signals in receivers. It appears to ("TBC") that the Commission is concerned about such effects since question 14 part V-B (FM) engineering data of form 301 asks: "[Are there] within 10 kilometers of the proposed antenna any proposed or authorized FM or TV transmitters which may produce receiver-induced intermodulation interference?" Further if the answer to question 14 is "yes" the applicant is asked to attach an exhibit describing any expected undesirable effects of operation and what remedial steps will be pursued if necessary, and a statement accepting full responsibility for the elimination of any objectionable interference including that caused by receiver induced or other types of modulation.

CONCLUSION

("TBC's") informal objection is simply a statement of its belief that these interference questions should be considered prior to grant. ("TBC") cannot see how the public interest would be served by granting the ("Pritchard") application only to find out after construction that in order to meet the FAA's operating condition that the applicant's power will have to be reduced to such a point (to avoid air navigation interference) that the station's 70.DBU signal no longer encompasses the entire city of Burlington, Iowa, or worse yet that the only way to avoid such air navigation interference is to have the station go off the air. Further, ("TBC") re-states its concern relative to receiver induced interference. ("TBC") has responded to all cases of interference brought to its

attention which were caused by the activation of the KBKB-FM class C2 transmitting facility. Primarily these responses involved purchasing a rather expensive "trap" from the Winegard Company. Therefore, ("TBC") respectfully requests to be protected from either interference to the air navigation radio system or receiver-induced interference that may result if the ("Pritchard") application is ultimately granted.

Respectfully submitted,
TALLEY BROADCASTING COMPANY

A handwritten signature in dark ink, appearing to read 'John R. Peters', is written over a horizontal line.

John R. Peters
Its Vice President

Date: December 23, 1991

CERTIFICATE OF SERVICE

I, John R. Peters, Vice President of the Talley Broadcasting Company, hereby certify that I have, this Twenty-Third day of December, 1991, sent true copies of the foregoing reply to opposition to informal objection to the application of John T. Pritchard for a new FM station on channel 276C3 at Burlington, Iowa via First Class United States Mail postage prepaid to:

Mr. John T. Pritchard, Owner
Radio Station KKMI
2850 Mount Pleasant Street
Burlington, Iowa
52601

Mr. Donald E. Ward, Esq.
Law Offices of Donald E. Ward, P.C.
1201 Pennsylvania Avenue, N.W.
Fourth Floor
P.O. Box 286
Washington, D.C.
20044-0286

A handwritten signature in black ink, appearing to read 'J. R. Peters', is written over a horizontal line.

John R. Peters

December 23, 1991